

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,
Plaintiff / Counterclaim Defendant,

V

J.T. POSEY COMPANY,
Defendant / Counterclaim Plaintiff.

Civil Action No. 05-10917 PBS

**HIPSAVER’S ASSENTED-TO MOTION TO FILE UNDER SEAL
EXHIBITS A & B TO HIPSAVER’S OPPOSITION TO DEFENDANT J.T.
POSEY COMPANY’S THIRD MOTION IN LIMINE**

Pursuant to Local Rule 7.2 and paragraphs 2.4 and 10 of the parties' Protective Order [D.N. 48], HipSaver moves for an order granting leave to file under seal Exhibits A & B to HipSaver's Opposition to Defendant J.T. Posey Company's Motion for Summary Judgment on Plaintiff's Complaint, filed concurrently by hand.

As grounds for the motion, HipSaver states that Exhibits A & B contain material designated by the parties as CONFIDENTIAL—ATTORNEYS' EYES ONLY.

CERTIFICATE PURSUANT TO CIVIL LOCAL RULE 7.1

I hereby certify that on May 22, 2007, counsel for the parties conferred by telephone and that counsel for J.T. Posey assented to this motion.

THE HIPSAVER COMPANY, INC.
By its Attorneys,

/s/ Courtney M. Quish _____
Lee Carl Bromberg
BBO No.: 058480
Edward J. Dailey
BBO No.: 112220
Courtney M. Quish
BBO No.: 662288
BROMBERG SUNSTEIN, LLP
125 Summer Street - 11th floor
Boston, Massachusetts 02110-1618
617.443.9292
cquish@bromsun.com
May 22, 2007

CERTIFICATE OF SERVICE

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

/s/ Courtney M. Quish _____
May 22, 2007

02820/00502 672827.1